

#3 SECTOR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Mark A. Johanson, et al

Serial No.: 09/086,508

Filed: May 28, 1998

For: BONE ANCHOR AND DEPLOYMENT
DEVICE THEREFOR

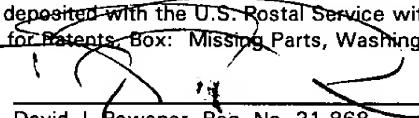
Case No.: 0383311-0089

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231
BOX: MISSING PARTS

CERTIFICATE OF MAILING

The undersigned certifies that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail addressed to the Assistant Commissioner for Patents, Box: Missing Parts, Washington, DC 20231

Date: July 17, 1998


David J. Powsner, Reg. No. 31,868

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

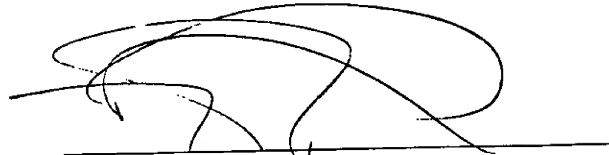
Sir:

In response to the Notice to file Missing Parts of Application (Filing Date Granted) mailed June 10, 1998, a copy of which is enclosed, please find enclosed:

- (1) Response to Notice to File Missing Parts;
- (2) Declaration and Power of Attorney signed by Inventor;
- (3) Executed Verified Statement Claiming Small Entity Status
- (4) Copy of Notice to File Missing Parts;

- (4) Check in the amount of \$65.00; and
- (5) Return Postcard.

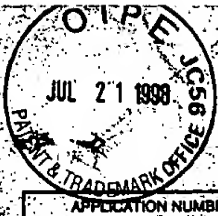
Respectfully submitted,



David J. Powsner
Reg. No. 31,868

Date: July 17, 1998

ATTORNEYS OF APPLICANTS
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/086,508	05/28/98	JOHANSON	M 0383311-0089

CHOATE HALL & STEWART
EXCHANGE PLACE
53 STATE STREET
BOSTON MA 02109-2891

0262/0610

NOT ASSIGNED

3738

DATE MAILED:

06/10/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 736

☒ 1. The statutory basic filing fee is:

☐ missing.

☒ insufficient.

Applicant must submit \$ 184 to complete the basic filing fee and/or file a small-entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ 422, including any multiple dependent claim fees, are required.

\$ 246 for 3 independent claims over 3.

\$ 176 for 8 dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☐ is missing or unexecuted.

☐ does not cover the newly submitted items.

☐ does not identify the application to which it applies.

☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date, is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☒ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☒ 9. OTHER: Verified small entity statement unsigned

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (203) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE